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ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
Phone: (314) 621-5070
Fax: (314) 621-5065
www.armstrongteasdale.com

**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Date: February 6, 2006

: Re: Re-Submission of Amendment in Response
to Office Action dated August 31, 2005
: with 3 month extension

To: Examiner: Vu, Ngoc K.
U.S. Patent and Trademark Office
Fax No.: 1-571-273-8300
From: Dean D. Small

: Filed: August 31, 1999
: Applicant: Tazwell L. Anderson, Jr.
: Atty. Dkt. No. 20973-12
: Title: AUDIO/VIDEO SYSTEM AND METHOD
UTILIZING A HEAD MOUNTED
APPARATUS WITH ATTENUATION

DOCUMENTS SUBMITTED WITH TRANSMISSION:


Amendment Transmittal with Certificate of Fax Transmission (3 pgs., in duplicate)
Amendment in Response to Office Action dated August 31, 2005 (12 pgs.)
Certificate of Facsimile Transmittal (1 pg.)

Total pages including cover page: 19

If all pages are not received, please contact Kimberly Sansone at (314) 621-5070, ext. 7219

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, ,
Fax Number 1-571-273-8300 on the date shown above.



Dean D. Small, Reg. No. 34,730

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VIA FACSIMILE TRANSMISSION: 571.273.8300

Atty. Dkt. No.: (20973-12)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Tazwell L. Anderson, Jr. :
Serial No.: 09/386,613 : Group No.: 2611
Filed: August 31, 1999 : Examiner: Vu, Ngoc K.
For: AUDIO/VIDEO SYSTEM AND :
METHOD UTILIZING A HEAD :
MOUNTED APPARATUS WITH :
NOISE ATTENUATION :

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

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STATUS

- Applicant
☒ claims small entity status.
☐ is other than a small entity.

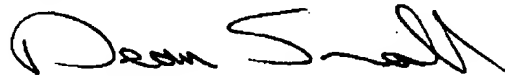
CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING
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sufficient postage as Express Mail, in an envelope
addressed to: Mail Stop: AMENDMENT, Commissioner
for Patents, Alexandria, VA 22313-1450, *Express Mail*
No.: EV US

Date: February 6, 2006

FACSIMILE
☒ transmitted by facsimile to the Patent and
Trademark Office to facsimile number (571)
273-8300.



Dean D. Small

Reg. No. 34,730

FEB 06 2006

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) _____ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ first month	\$ 120.00	\$ 60.00
_____ second month	\$ 450.00	\$ 225.00
_____ third month	\$1,020.00	\$ 510.00
_____ fourth month	\$1,590.00	\$ 795.00
_____ fifth month	\$2,160.00	\$1,080.00
	Fee:	\$0.00

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension of _____ months has already been secured. The fee paid
therefor \$ _____ is deducted from the total fee due for the total months
of extension now requested.

Extension fee due with this request \$.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this
conditional petition is being made to provide for the possibility that
applicant has inadvertently overlooked the need for a petition for extension
of time.

Atty. Dkt. No.: (20973-12)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	OR	ADDITIONAL RATE FEE
TOTAL	48	MINUS	48	=0	x \$25.00 = \$150		x \$50.00 = \$
INDEP.	2	MINUS	2	=0	x \$100.00 = \$		x \$200.00 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$180.00 = \$		+ \$360.00 = \$
					TOTAL ADDITIONAL FEE \$150	OR	TOTAL ADDITIONAL FEE \$

(a) _____ No additional fee for Claims is required

OR(b) _____ Total additional fee for claims required \$ 0.00.**FEE PAYMENT**

5. _____ Attached is a check in the sum of \$ _____

X Charge Deposit Account No. 01-2384 the sum of \$ 0.00.
A duplicate of this transmittal is attached.**FEE DEFICIENCY**

- 6.
- X
- If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/ORX If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. _____ Other:



Dean D. Small
 Reg. No. 34,730
 ARMSTRONG TEASDALE LLP
 One Metropolitan Square, Suite 2600
 St. Louis, MO 63102
 314/621-5070

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VIA FACSIMILE TRANSMISSION: 571.273.8300

Atty. Dkt. No.: (20973-12)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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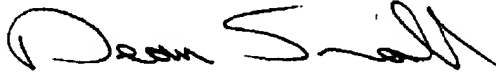
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Dean D. Small

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PATENT
AT DOCKET NO.: 20973-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tazwell L. Anderson Jr.	:	
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Serial No.:	09/386,613	:	
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		:	Examiner: Vu, Ngoc K.
Filed:	August 31, 1999	:	
		:	
For:	AUDIO/VIDEO SYSTEM AND METHOD	:	
	UTILIZING A HEAD MOUNTED	:	
	APPARATUS WITH NOISE ATTENUATION	:	

**AMENDMENT – SECOND SUBMISSION IN RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Office Action of August 31, 2005 and the Notice of Non-Compliant
Amendment mailed January 30, 2006, please amend the claims as follows: